

Atty. Dkt. No. 032931-0227

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrew D. MURDIN et al.
 Title: CHLAMYDIA ANTIGENS AND CORRESPONDING DNA
 FRAGMENTS AND USES THEREOF
 Appl. No.: 09/523,647
 Filing Date: 03/10/2000
 Examiner: R. Mitra
 Art Unit: 1653

AMENDMENT TRANSMITTAL

Commissioner for Patents
 Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- ☐ Small Entity statement is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	38	37	1	x \$18.00	= \$18.00
Independents:	8	8	0	x \$84.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00	= \$0.00
CLAIMS FEE TOTAL:					= \$18.00

- ☒ Applicants hereby petition for an extension of time under 37 C.F.R. 51.136(a) for the total number of months checked below:

Atty. Dkt. No. 032931-0227

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$110.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
EXTENSION FEE TOTAL:			\$110.00
CLAIMS AND EXTENSION FEE TOTAL:			\$128.00
Small Entity Fees Apply (subtract 1/2 of above):			\$0.00
<input type="checkbox"/>	TOTAL FEE:		\$128.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$128.00. A duplicate copy of this transmittal is enclosed.

- ☒ A check in the amount of \$128.00 is enclosed.

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By Michele M. Simkin

Michele M. Simkin
Attorney for Applicants
Registration No. 34,717

Date November 5, 2001

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No: 032931/0227

In re patent application of

MURDIN, Andrew D. *et al.*

Serial No.: 09/523,647

Filed: March 10, 2000

Group Art Unit: 1653

Examiner: R. Mitra

For: CHLAMYDIA ANTIGENS AND CORRESPONDING
DNA FRAGMENTS AND USES THEREOFCommissioner for Patents
Washington, D.C. 20231**RESPONSE TO RESTRICTION REQUIREMENT and AMENDMENT**

Sir:

This Amendment and Response to Restriction Requirement is filed in Response to the Office Action dated October 1, 2001. A petition for extension of time to respond is also filed with this response.

Please amend the application as indicated below.

IN THE CLAIMS:

In accordance with 37 C.F.R. § 1.121, please substitute for claim 8 the following rewritten version of the same claim, as amended. The changes are shown explicitly in the attached "Version with Markings to Show Changes Made".

8. (Amended) A vaccine comprising a vaccine vector and at least one first nucleic acid molecule, wherein each first nucleic acid is expressed as a polypeptide, and wherein the nucleic acid molecule comprises a nucleic acid molecule comprising a nucleic acid sequence which encodes a polypeptide selected from any one of:

- (a) SEQ ID No: 2;
- (b) an immunogenic fragment comprising at least 12 consecutive amino acids from a polypeptide of (a); and

11/06/2001

00000019

1

103

\$18.00 11/05/2001

Attorney Docket No: 032931/0227
Serial No.: 09/523,647

CF
Conclude

(c) a polypeptide of (a) or (b) which has been modified without loss of immunogenicity, wherein said modified polypeptide is at least 75% identical in amino acid sequence to the corresponding polypeptide of (a) or (b);

wherein the vaccine optionally comprises a second nucleic acid encoding an additional polypeptide which enhances the immune response to the polypeptide expressed by said first nucleic acid.

CF

Please add the following new claim.

38. (New) The vaccine of claim 8 wherein the vaccine vector is an expression vector comprising at least one first nucleic acid molecule, and wherein the vaccine further comprises a pharmaceutically acceptable carrier or diluent suitable for use in a vaccine.

REMARKS

Following entry of this Amendment, claims 1-38 are pending.

Claim 8 has been reformatted to independent claim format by explicitly reciting the nucleic acid of claim 1. The claim has been further amended to replace "to improve its immunogenicity" (originally in claim 1) with "without loss of immunogenicity". Support for this amendment is found at least at page 11, line 33, to page 12, line 1; and at page 13, lines 6-7, of the specification.

New claim 38 is dependent on claim 8. Support for "expression vector" is found at page 9, lines 11 and 23-25; page 21, lines 11-12 and 20; page 22, lines 13-26; page 24, lines 3-9; page 30, lines 13-20; page 32, lines 21-23; and Example 3 at page 49 of the application. The "pharmaceutically acceptable carrier or diluent suitable for use in a vaccine" is supported at least at page 9, lines 16-23; page 25, lines 4-6; page 46, lines 19-28, of the application.